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IN THE

Supreme Court of the United States

OCTOBER TERM, 1971

No. 71-1161

GAF CORPORATION,
Conditional Cross-Petitioner,

v.

PAUL MILSTEIN, SEYMOUR MILSTEIN, GLORIA MILSTEIN FLANZER and MORRIS MILSTEIN

STATEMENT OF RESPONDENTS IN RESPONSE TO CONDITIONAL CROSS-PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

LOUIS LOSS
Attorney for Respondents
Langdell Hall
Cambridge, Massachusetts 02138

Of Counsel:

STROOCK & STROOCK & LAVAN
61 Broadway
New York, New York 10006

DAVID LUBART
CHARLES G. MOERDLER
GARY J. GREENBERG
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The question of standing under Rule 10b-5, 17 C. F. R. § 240.10b-5, alone, would not justify further review by this Court in this action. On the other hand, in order that the entire case might be before the Court, we have no objection to the "Conditional Cross-Petition" if the principal petition —No. 71-1144—is granted.

Respectfully submitted,

LOUIS LOSS

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Attorney for Respondents
Langdell Hall
Cambridge, Massachusetts 02138

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STROOCK & STROOCK & LAVAN
61 Broadway
New York, New York 10006

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